

Town Board Minutes

October 20, 2014

Meeting No. 29

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 20th day of October 2014 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, INTERIM DIRECTOR, PARKS, RECREATION,
FORESTRY & GROUNDS
LOUIS CACCIOTTI, DEPUTY HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

AT 7:59 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and a contractual matter.

At 8:27 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Bucholtz, Bill, spoke to the Town Board on the following matter:

- Planned events for the Bryce Buchholz Foundation.

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Public Hearing for proposed general fund budget.
- Resolution authorizing RFQ for engineering services.
- Sale of dog pound property.
- GPS in Town vehicles.
- Finger print scan for Town employees.
- List of employees authorized to take Town vehicles home.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Resolution authorizing RFQ for engineering services.
- Amendment of date appointing laborer aide.
- Questions regarding notification process for rezone petitions.
- Public Safety issues on William Street.

Kazmierczak, Tom, spoke to the Town Board on the following matters:

- Appointment of Town laborer aide.
- Buffalo News editorial.

Symer, Donald, spoke to the Town Board on the following matter:

- Public Hearing for 2015 Special Districts budget.

Zielinski, Dave, spoke to the Town Board on the following matter:

- Appointment of Town laborer aide.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: # 1 Rezone 00 & 5354 Genesee Street.

ON MOTION BY COUNCIL MEMBER STEMPIAK, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Rezone 00 & 5354 Genesee Street matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Jeff Palumbo, Esq., Representing Petitioner	Proponent
Mike Fronczak	Questions
Scott Mosher, Representing Enterprise Rental Cars	Proponent
Roger Pasquarella, President, Column Development	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:24 P.M.

Decision on this matter was reserved.

October 20, 2014

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: # 2 Time Warner Franchise Renewal.

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, the public hearing was opened.

At 7:24 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Time Warner Franchise Renewal matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
NONE	
ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, the public hearing was closed at 7:25 P.M.	

Decision on this matter was reserved.

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PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: # 3 Federal Community Development Grant.

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, the public hearing was opened.

At 7:25 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Federal Community Development Grant matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Council Member Abraham suggested several options to consider in the Town’s application. No members of the public spoke.	

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, the public hearing was closed at 7:27 P.M.

Decision on this matter was reserved.

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PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held October 6, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

October 20, 2014

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 37479 to Claim No. 37689 Inclusive

Total amount hereby authorized to be paid: \$670,395.96

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

October 20, 2014
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23398		Christopher Nichter	496 Aurora St	Er. Garage	
23399		Zenner & Fitter Co. Inc.	115 Stony Rd	Inst. Generator	
23400		Carl Impellitier	61 Chestnut Corner	Er. Fence	
23401		Donna Lukowski	135 Brunck Rd	Re-Roof	
23402		Town of Lancaster IDA	4087 Walden Ave	Inst. Generator	
23403		Rebecca Suffoletto	31 Jonquille Ct	Er. Fence	
23404		Besroi Construction	176 Cemetery Rd	Re-Roof	
23405		Besroi Construction	56 Banner Ave	Re-Roof	(V/L)
23406		Besroi Construction	320 Enchanted Forest N	Re-Roof	
23407		Besroi Construction	27 Woodgate Dr	Re-Roof	
23408		Besroi Construction	8 Regency Ct	Re-Roof	
23409		Armitage Associates of WNY	14 Ashwood Ct	Er. Res. Add.	
23410		Benjamin Kruger	5681 Broadway	Er. Fence	
23411		Jennifer Scott	101 Bowen Ave	Er. Fence	(V/L)
23412		Jason Czerniak	127 Southwest Pky	Er. Res. Add.	(V/L)
23413		Classic Fence and Lumber Co.	4 Robins Nest Ct	Er. Fence	
23414		The Vinyl Outlet Inc.	74 Holland Ave	Er. Fence	(V/L)
23415		Joseph & Donna Cartonia	33 Glendale Dr	Er. Shed	
23416		Edward & Mary Sobczak	533 Harris Hill Rd	Inst. Generator	
23417		Todd & Lisa Madison	71 Old Post Rd	Re-Roof	
23418		Viola Miller	72 Sturm St	Er. Fence	(V/L)
23419		William & Nicole Gallagher	5 Arrow Trl	Re-Roof	
23420		PJK Roofing Inc.	17 Summerfield Dr	Re-Roof	
23421		Joseph E. Neubert, Roofing,Inc	185 Central Ave	Re-Roof	(V/L)
23422		C & Michele Van Deusen	28 Tranquility Trl	Er. Pool-In Grnd	
23423		C & Michele Van Deusen	28 Tranquility Trl	Er. Fence	
23424		Patricia A. Reynders	2113 Como Park Blvd	Re-Roof	(V/L)
23425		Sturdi Built Sheds LLC	686 Pleasant View Dr	Er. Shed	
23426		Lloyd D. Christian	259 Warner Rd	Er. Fence	
23427		Scott & Audrey Phillips	145 Brunck Rd	Er. Garage	
23428		Patrick & Eun-ok Patota	8 Queen's Way	Re-Roof	
23429		Ronald J Surowick	107 Stutzman Rd	Er. Pole Barn	
23430		Linda Andreessen	36 Old Post Rd	Er. Fence	
23431		Thomas Trzepacz	310 Iroquois Ave	Er. Res. Add.	
23432		Joanne Harper	2 Eastwood Pky	Re-Roof	
23433		Frederick W. Urquhart, Jr.	38 Pardee Ave	Er. Res. Add.	(V/L)
23434		H Cope Enterprises Inc.	35 Summerfield Dr	Re-Roof	
23435		H Cope Enterprises Inc.	14 Farmview Ct	Re-Roof	
23436		William & Betty McMahon	10 Rollingwood Dr	Er. Shed	
23437		Kevin Kibler	4 Commonwealth Ln	Er. Shed	
23438		Margaret O'Bryan	291 Westwood Rd	Er. Shed	
23439		Thomas & Karen Szymanski	73 Fairfield Ave	Re-Roof	(V/L)
23440		HSBC Mortgage Corp USA	59 First Ave	Re-Roof	(V/L)
23441		Sahlems Roofing & Siding Inc.	1171 Penora St	Re-Roof	
23442		Sahlems Roofing & Siding Inc.	321 Enchanted Forest N	Re-Roof	
23443		F&D Construction Inc.	45 Briarwood Dr	Re-Roof	(V/L)
23444		Guardian Fences of WNY Inc.	28 Apple Blossom Blvd	Er. Fence	
23445		Star Construction	27 Sawgrass Ln	Er. Shed	
23446		Johm F. Gullo	27 Sawgrass Ln	Er. Res. Alt.	
23447		Steven Muskoff	6375 Genesee St	Er. Dwlg.-Sin.	
23448		Peggy Tate	6377 Genesee St	Er. Dwlg.-Sin.	
23449		Bernard Hubert III	56 Pleasant View Dr	Re-Roof	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated October 6, 2014, has requested the addition of two (2) members to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirm the additions to the membership of the Town Line Volunteer Fire Department the following individuals:

ADDITIONS:

Patrick Manning	Ryan Manning
Alden, New York	Alden, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, a Public Hearing was held on the October 6, 2014 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard,

WHEREAS, a Notice of said Public Hearing was duly published and posted

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on October 20, 2014;
3. That a Certified Copy thereof be published in the Lancaster Bee on October 23, 2014;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board:
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

**CHAPTER 46
ARTICLE VIII -Stop Intersections; Non-Intersection Stops; Yield intersections**

46-8.1 Stop Intersections designated, is hereby amended by adding thereto the following:

<u>HIDDEN PINES SUBDIVISION</u>		
<u>Street Name</u>	<u>Intersecting Street</u>	<u>Sign Location</u>
Branch Way	Pine Tree Drive	N.W. Corner

<u>WHISPERING PINES SUBDIVISION</u>		
<u>Street Name</u>	<u>Intersecting Street</u>	<u>Sign Location</u>
Branch Way	Americo Court	S.E. Corner
Silent Meadow	Branch Way	N.E. Corner

October 20, 2014

**STATE OF NEW YORK :
COUNTY OF ERIE :
OF LANCASTER :**

THIS IS TO CERTIFY that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 20th day of October 2014 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 20th day of October, 2014.

Johanna M. Coleman, Town Clerk
October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town of Lancaster’s construction of its new Public Safety Building located at 525 Pavement Road, is nearly completed except for the landscaping, and

WHEREAS, Wm. Schutt & Associates, consulting engineer for the Town has obtained two (2) price quotes for the purchase and installation of Lawn Seeding and Irrigation System to cover the front yard area of the Public Safety Building in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, Wm. Schutt & Associates has recommended that the contract be granted to Wolf’s Nursery, Inc., 6083 Fisk Road, Lockport, New York 14094, in the amount of \$9,131.00 per their quote dated October 2, 2014, and

WHEREAS, funding for the purchase and installation of Lawn Seeding and Irrigation System for the front Yard area of the Public Safety Building is available from the April 13, 2011 Police/Court’s Complex Project Bond.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute the proposal for the purchase and installation of Lawn Seeding and Irrigation System for the new Public Safety Building from Wolf’s Nursery, Inc., 6083 Fisk Road, Lockport, New York 14094 in accordance with their quote dated October 2, 2014, in the amount not to exceed \$9,131.00 to be paid with funds available in the April 13, 2011 Police/Court’s Complex Project Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Lancaster/Depew Meals on Wheels desires to enter into a contractual arrangement with the Town to continue the provision of meals to housebound seniors, and

WHEREAS, the Town Board has given due review and consideration to this request and deems it in the public interest for the Town to enter into a contract to provide for the continuation of this meal service for seniors;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with the Meals on Wheels of Western New York, Inc., to provide the continuation of the meal program for housebound seniors, the Town will provide under this contract the sum of up to \$25,000.00 as appropriated in account code A7610.410 in the adopted budget for the 2014 fiscal year.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Summerfield Farms Subdivision, Phase V, within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated October 14, 2014 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated October 15, 2014, has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvements No. 718 - Pavement & Curb, No. 719 - Detention Basin, No. 720 - Storm Sewer and No. 721 - Water Line, within Summerfield Farms Subdivision, Phase V, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:
and,

BE IT FURTHER

RESOLVED, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional six (6) fire hydrants authorized for this subdivision with the next billing cycle, and

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the road(s) to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Active Fence Company, Inc., 5295 Bayview Road, Hamburg, NY 14075, the contractor for providing roofing and fencing improvements at various baseball fields in Westwood Park and Keysa Park, has submitted Change Order No. 1 in the amount of \$4, 095.00 to the Town Board for their approval, based on the descriptions of additional work to be performed provided to the Town Board;

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to Active Fence Company, Inc., with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for the furnishing and installing of additional support rails to properly support the roofs for the dug-outs.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$ 26,620.00
The Contract Sum will be increased by this Change Order in the amount of....	\$ 4,695.00
The new Contract Sum increased including this Change Order will be	\$ 31,315.00

**BE IT FURTHER
RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, by letter dated October 14, 2014, Mark D. Lubera, Interim General Crew Chief of the Town of Lancaster’s Parks, Recreation & Forestry Department, has requested authorization to solicit bids for providing maintenance and removal of trees and tree stumps on Parkdale and Glendale Drives, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public's interest to invite public bids in conformance with General Municipal Law §103 of the State of New York; and

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

- 1. That Bids be received in the Office the Town Clerk by November 6, 2014, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of providing tree maintenance, tree removal and removal of stumps on Glendale and Parkdale Drives, and
- 2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee or a newspaper of general circulation in said Town and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the **6th day of November, 2014**, for the purpose of providing tree maintenance, tree removal and removal of stumps on Glendale and Parkdale Drives, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

Each proposal must accompanied by a Certified Check payable to the Town of Lancaster or a Bid Bond, in the amount of Four Thousand Dollars (\$4,000.00) conditioned that if the proposal is accepted, the bidder will enter into a contract for the same and that the bidder will execute any such further security as may be required for the faithful performance of the contract, a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

October 23, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Dino J. Fudoli, Budget Officer of the Town of Lancaster, on September 26, 2014, duly filed the Tentative Budget of said Town for the fiscal year beginning January 1, 2015, with the Town Clerk of said Town.

NOW, THEREFORE, BE IT

RESOLVED, that the said Tentative Budget, without modifications, is hereby approved and shall become the Preliminary Budget of the Town of Lancaster for the fiscal year beginning January 1, 2015, and

BE IT FURTHER

RESOLVED, that said Preliminary Budget shall be made available by the Town Clerk to the public for inspection during the regular business hours of the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that a Public Hearing on the Preliminary Budget of the Town of Lancaster for the year 2015, be held by this Town Board at the Town Hall, 21 Central Avenue, Lancaster, New York on the 3rd day of November 2014, at 7:15 o'clock P.M., Local Time, and

BE IT FURTHER

RESOLVED, that a Legal Notice of said Public Hearing upon the 2015 Preliminary Budget, as required by Section 108 of the Town Law of the State of New York, be published in the Lancaster Bee, on October 23, 2014 which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than five (5) days prior to the public hearing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
ON THE 2015 PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the Preliminary Budget of the Town of Lancaster, for the fiscal year beginning January 1, 2015, has been filed in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS GIVEN, that a Public Hearing on the Preliminary Budget of the Town of Lancaster for the year 2015, be held by this Town Board at the Town Hall, 21 Central Avenue, Lancaster, New York on the 3rd day of November 2014, at 7:15 o'clock P.M., Local Time, and at such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed annual salaries of the following Town Officers are specified as follows:

Supervisor - as Supervisor	\$66,997
- as Budget Officer	\$0
Total	\$66,997
Council Member	\$18,975
Council Member	\$18,975
Council Member	\$18,975
Council Member	\$18,975
Town Justice	\$41,884
Town Justice	\$41,884
Town Clerk - as Town Clerk	\$71,145
- as Records Management Officer	\$6,535
- as Registrar of Vital Statistics	\$3,000
- as Clerk to Zoning Board of Appeals	\$3,390
Total	\$84,070
Superintendent of Highways	
- as Superintendent of Highways	\$69,788
- as Drainage Coordinator - P.T.	5,450
Total	\$75,238

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN, Town Clerk

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Board, on behalf of all the Special Districts and Special Improvement Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

WHEREAS, the Town Board has assessed the amount of said estimates on several lots against which the expense of the improvement was charged in proportion to the amount of benefit conferred, and

WHEREAS, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk.

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That a Public Hearing is hereby called and shall be held on the 3rd day of November 2014, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget for the Year 2015, and to hear all persons interested in the subject matter thereof, and concerning the same, and
2. That a Legal Notice of said Public Hearing be published in the Lancaster Bee on October 23, 2014, which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than ten (10) nor more than twenty (20) days prior to the public hearing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
UPON THE 2015 SPECIAL DISTRICTS BUDGET**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lancaster, New York, has completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following districts for the year 2015:

Consolidated Water District

Consolidated Lighting District Number 1

Fire Protection District

Refuse and Garbage District

and,

FURTHER NOTICE IS GIVEN, that a Public Hearing on such estimates and Assessment Roll will be held on November 3, 2014 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

**BY ORDER OF THE: TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN, Town Clerk

October 20, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, by resolution dated October 6, 2014, the Town Board of the Town of Lancaster approved the appointment of Thomas Irish of Lancaster, New York to the position of Laborer-Aide, full-time in the Department of Parks, Recreation and Forestry, effective October 7, 2014.

NOW, THEREFORE, BE IT

RESOLVED, that the effective date of the appointment of Thomas Irish to the position of Laborer-Aide, full-time in the Department of Parks, Recreation and Forestry be and is hereby corrected from October 7, 2014 to October 14, 2014.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	ABSTAINED *
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

* Represents Mr. Irish in business matters.

October 20, 2014

SUSPENDED RESOLUTION:

Supervisor Fudoli requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, a suspension was granted.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster for many years, for reasons of economy and efficiency, has contracted with an outside firm to provide the services of the Town Engineer, and

WHEREAS, in order to enhance the Town's operational capabilities, the Town Board of the Town of Lancaster wishes to issue a request for qualifications to solicit responses from outside firms who may be qualified to supplement the services of the Town Engineer.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes and directs that a request for qualifications ("RFQ") for supplemental engineering and related services be prepared by the Town Supervisor, subject to the assistance and approval of the Town Attorney, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to advertise the RFQ in the Town's official newspaper, and that the RFQ shall be posted on the Town's website and shall otherwise be available for inspection in the office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that the RFQ shall indicate, among other things, that the Town Board shall have the right to review and evaluate any responses received in relation to the RFQ, to reject any or all such responses for non-compliance with the terms of the RFQ, and to determine whether to award a contract in relation to the RFQ or to rescind the RFQ, and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 20, 2014

COMMUNICATIONS & REPORTS

- 581. Sharon and Rich Tusznio to Supervisor and Town Board –
Request for Town Board denial to rezone 00 & 5425 William Street from
Agricultural/Residential to Multi-Family. Disposition = Received & Filed**
- 582. Town Clerk to Town Board –
Copy of Clerk's Monthly Report for September 2014.
Disposition = Received & Filed**
- 583. Supervisor to Karen Fiala, Erie County Industrial Development Agency –
No concerns regarding proposed plans for SelectOne RE Holdings to relocate
their current operations from 2813 Wehrle Dr. in Lancaster to 760 Seneca St. in
Buffalo. Disposition = Received & Filed**
- 584. Town Line Volunteer Fire Dept. to Town Clerk –
Request for change in roster. Disposition = Resolution 10/20/14**
- 585. Rebecca Brooks to Supervisor –
Information regarding auction and benefit for Hope for Leontae' on
October 23, 2014. Disposition = Received & Filed**
- 586. Authorities Budget Office to Supervisor –
Information regarding Formation of a Subsidiary by a Public Authority.
Disposition = Received & Filed**
- 587. James Allein, Lancaster Rural Cemetery Assoc. to Supervisor and Town Board –
Request for 2015 budgetary funding for on-going operations of the Lancaster
Rural Cemetery. Disposition = Received & Filed**
- 588. Town Clerk to Various News Media –
Press Release announcing the observance of Halloween for all Town residents
shall be set for October 31, 2014 between 6:00PM and 8:30PM.
Disposition = Received & Filed**
- 589. Town Engineer to Town Board –
Recommend acceptance of P.I.P. #718 pavement & curbs, P.I.P. #719 detention
basin, P.I.P. #720 storm sewer, & P.I.P. #721 water line for Summerfield Farms
Subdivision Phase 5. Disposition = Resolution 10/20/14**
- 590. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Winnomotive Properties, 4304 Walden
Ave. (Proj. #3043). Disposition = Planning Committee**
- 591. Interim General Crew Chief to Supervisor and Town Board –
Request for resolution to advertise to bidders the specifications for the tree
maintenance and removal of trees on Parkdale and Glendale Drives.
Disposition = Resolution 10/20/14**
- 592. John Cooper, Sr. Chairman & William Ross, Chairman, Niagara Military Affairs
Council to Supervisor –
Information regarding Niagara Military Affairs Council and request for
contribution for 2015. Disposition = Received & Filed**
- 593. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding
Winnomotive Properties, 4304 Walden Ave. (Proj. #3043).
Disposition = Planning Committee**

- 594. Town Attorney to Town Clerk –
Transmittal of Maintenance Bonds for Pavement & Curbs, Detention Basin, Storm
Sewer and Water Line public improvement for Summerfield Farms – Phase 5, and
request for resolution accepting P.I.P.#718, P.I.P.#719, P.I.P.720, & P.I.P.#721.
Disposition = Resolution 10/20/14**
- 595. Town Clerk to Highway Superintendent, Senior Center Coordinator, Police Chief,
Interim General Crew Chief, Youth Bureau Director, Natural Disaster Services
Coordinator, Town Board Members, and Carmen Ciccarelli –
Notification of election locations conducted by Erie County Board of Elections on
November 4, 2014. Disposition = Received & Filed**
- 596. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the meeting was adjourned in memory of Dennis Casillo and Michelle Goetz Cress at 8:27 P.M.

Signed _____
Johanna M. Coleman, Town Clerk